

REMARKS

Applicants would like to thank the Examiner for the courtesy of discussing the application by telephone and agreeing to review the above claim amendments.

Claims 1-20, 23-35, 46-52 and 60-64 are pending; claims 11, 24-35, 46-52 and 60-64 are withdrawn at the present time. Claims 1-10, 12-20 and 23 have been examined in the most recent Office Action and stand rejected.

Applicants note with appreciation that the rejections of claims 19 and 20 under 35 U.S.C. §112, second paragraph, claim 10 under 37 C.F.R. §1.75(c) and claims 1-4, 12-14, 17 and 23 under 35 U.S.C. §102(b) are withdrawn.

Claim 18 is rejected under 37 C.F.R. §1.75(c) because it is dependent upon claim 1 but recites structures not encompassed by claim 1. Applicants have amended this claim to delete structures I(v), I(w), I(y) and I(gg) as noted by the Examiner. Structure I(aa) also is deleted in view of amendments made to claim 1 herein. Applicants therefore submit that this rejection has been overcome and respectfully request its withdrawal.

Claims 1-10, 12-20 and 23 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. 4,927,815 (hereafter "DeLuca"). The Office Action states that the DeLuca reference would have

rendered it obvious to the skilled person to make compounds according to the generic formula of the claim wherein one of R⁶ or R⁷ is an alkyl group. This conclusion is based on disclosure in DeLuca at column 4.


Applicants have amended claims 1, 16 and 18 herein. In claims 1 and 16, the definition of R⁶ or R⁷ is amended to delete recitation of C₁₋₄ alkyl. The claims therefore read (in part): "R⁶ or R⁷ are both H or are taken together to form a C₃₋₆cycloalkyl ring." Claim 12, directed to compounds of claim 1 wherein R⁶ and R⁷ may be methyl, is canceled and claim 18 is amended to delete the recitation of structure I(aa). These claims no longer encompass compounds wherein R⁶ or R⁷ is an alkyl group. Applicants would like to draw the Examiner's attention to the specification at page 18, lines 16-17 for support for the amendment to claims 1 and 16.

Applicants respectfully submit that the amendments made herein overcome the rejection because compounds wherein R⁶ or R⁷ are both H or together form a cycloalkyl ring are not taught or even suggested by DeLuca. Applicants therefore request allowance of claims 1-10, 13-20 and 23.

With respect to the withdrawn claims, Applicants also request that claim 11 (drawn to a non-elected species) be rejoined at this time and allowed along with claims 1-10, 13-20

and 23. Withdrawn claims 24-35, 46-52 and 60-64 are process claims which depend from product claim 1, directly or indirectly and therefore include all the limitations of claim 1. Claims 25-27, 35 and 60 are canceled herein. Claim 24 is amended to incorporate the limitations of claim 27 and claim 28 is amended with respect to dependency. Applicants respectfully submit that withdrawn claims now meet all criteria for patentability. Applicants therefore request that withdrawn claims 24, 28-34, 46-52 and 61-64 also be rejoined at this time pursuant to M.P.E.P. §821.04.

Applicants request favorable consideration and allowance of all pending claims, as amended, at this time. Should the Examiner believe that any issue remains outstanding she is invited to telephone the undersigned.

RESPECTFULLY SUBMITTED,					
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